

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-38 were pending. Claims 3, 4, 6, 7, 10-26, and 29-38 have been cancelled by this reply, without disclaimer or prejudice. Therefore, claims 1-2, 5, 8-9, and 27-28 are pending after the amendments. Claims 1, 2, 5, 8, and 27 are independent claims. Claims 9 and 28 depend from claims 1 and 27, respectively.

Amendments to the Claims

Claims 1-2, 5, 8-9, and 27-28 have been amended to clarify the invention recited, to cancel non-elected subject matters, and to correct typographical errors. No new matter is introduced by these amendments.

Claim Objections**Claims 1, 2, 5, 8, 9, 27, and 28**

Claims 1, 2, 5, 8, 9, 27, and 28 are objected for having non-elected subject matters. Claims 1, 2, 5, 8, 9, 27, and 28 have been amended by the deletion of the non-elected subject matters. Accordingly, withdrawal of this objection is respectfully requested.

Claim Rejections**Claims 1, 2, 5, 8, 9, 27, and 28**

Claims 1, 2, 5, 8, 9, 27, and 28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory matter. Claims 1, 2, 5, 8, 9, 27, and 28 have been amended by reciting "an isolated" plasmid, vector, or DNA fragment, as suggested by the Examiner (p. 4, Office Action). Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591, Reference 07200/076001.

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Respectfully submitted,

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